



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

James M. Leas

Serial No. 09/942,823

Examiner unknown

Filed August 30, 2001

Art Unit 2633

For SiGe OR GERMANIUM FLIP CHIP OPTICAL RECEIVER

Assistant Commissioner of Patents
Washington, D.C. 20231

PETITION TO REINSTATE ABANDONED APPLICATION

Dear Sir:

Attached hereto are the following:

1) A Notice of Change of Address for the undersigned attorney of record in the above-identified application.

Please change the correspondence records to reflect the new office address.

2) A copy of Notice of Abandonment under 37 C.F.R. 1.53 (f) or (g).

The stated reason for abandonment was the applicants failure to timely file a response to the Notice to File Missing Parts mailed on October 4, 2001.

3) A copy of a response to the Notice of to File Missing Parts which was timely filed on October 23, 2001.

Included with these papers are copies of

a) the date stamped receipt from the USPTO for both the filing card (returned by mail) and the filing sheet (stamped at the USPTO on deposit).

Both cards are stamped October 23, 2001

b) the submission of formal drawings in response to the Notice to File

Corrected Application papers.

This submission was accompanied by both formal drawings and the Notice mailed October 4, 2001.

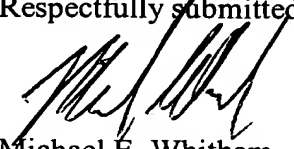
The undersigned notes that the response filed October 23, 2001 incorrectly sets forth the serial number for the case. That is, there is a transposition of the "4" and the "2" in the response. However, all other identifying information provided on the response (e.g., title, filing date, inventors name) correctly identify the application. Furthermore, the Notice mailed October 4, 2001 accompanied the response and the Notice document itself does correctly identify the case by serial number. In view of this, the USPTO should have associated the response with the correct file.

The Notice of Abandonment has been entered in error. The materials attached hereto demonstrate that the USPTO had in its possession the materials required by the Notice of October 4, 2001, as well as a means for associating those materials with the correct file (e.g., the identifying information on the response as well as the identifying information on the USPTO's own notice).

In view of the above, it is requested that the application be reinstated based on the applicant's timely response to the notice to file corrected application papers, and that the application proceed to examination.

Due to errors made on the part of the USPTO, it appears no fees are due to grant this petition. However, if any fees are deemed to be required, the Commissioner is authorized to charge attorney's deposit account 50-2041 (Whitham, Curtis & Whitham).

Respectfully submitted,


Michael E. Whitham
Reg. No. 32,635



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PATENT TRADEMARK OFFICE